

**Meeting Minutes**  
**Meeting of January 7, 2016**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, January 7, 2016, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Chairman Stein at 1:10 p.m.

**Council Members Present:**

Robert Stein

Chairman

Michael Caron/Larry Levesque  
(designees for Chairman House)

Daniel P. Lynch, Jr.

James J. Murphy, Jr.

Vice Chairman

Robert Hannon

(designee for Commissioner Klee)

Philip T. Ashton

**Council Members Absent**

Michael W. Klemens

**Staff Members Present:**

Melanie Bachman

Acting Executive Director/Staff Attorney

Fred Cunliffe

Supervising Siting Analyst

Christina Walsh

Supervising Siting Analyst

Robert Mercier

Siting Analyst

Michael Perrone

Siting Analyst

Cymon Holzschuh

Siting Analyst

**Recording Secretary:**

Carriann Mulcahy

**Minutes of December 10, 2015.**

Mr. Lynch moved to approve the minutes of December 10, 2015, seconded by Mr. Ashton. The motion passed unanimously.

**DOCKET 192B- CPV Towantic, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a 785 MW dual-fuel combined cycle electric generating facility located north of the Prokop Road and Towantic Hill Road intersection in the Town of Oxford, Connecticut. Request for Approval of Special Inspector.**

Mr. Ashton moved to approve Edgar Paul Hayes as the Special Inspector for this project with the condition that CPV Towantic, LLC file the full contact information for Mr. Hayes with the Council in accordance with Condition No. 1n of the Council's Decision and Order dated May 14, 2015, seconded by Mr. Hannon. The motion passed unanimously.

**DOCKET 192C- Jay Halpern Motion to Reopen and Modify CPV Towantic, LLC's May 20, 2015 Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a 785 MW dual-fuel combined cycle electric generating facility located north of the Prokop Road and Towantic Hill Road intersection in the Town of Oxford, Connecticut based on changed conditions pursuant to Connecticut General Statutes §4-181a(b). Motion to Reopen and Modify Certificate. Request for Intervenor Status.**

Mr. Ashton moved to deny Mr. Halpern's Motion to Reopen and Modify the Council's May 20, 2015, issuance of a Modified Certificate of Environmental Compatibility and Public Need to CPV Towantic, LLC, seconded by Mr. Lynch. The motion passed unanimously.

Due to the denial of the Motion to Reopen, the request for intervenor status was rendered moot as there is no pending proceeding before the Council.

**DOCKET NO. 366 - SBA Towers II, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 52 Stadley Rough Road in Danbury, Connecticut. Request to Reopen.**

Mr. Murphy moved to deny SBA Towers II, LLC's Request to Reopen and Modify the Council's Certificate Condition No. 1, seconded by Mr. Caron. The motion passed unanimously.

**DOCKET NO. 452 - Homeland Towers, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Salisbury Tax Assessor Map 16 Lot 5, 250 Canaan Road, Salisbury, Connecticut. Development & Management Plan.**

Mr. Ashton moved to approve the Development & Management Plan, seconded by Mr. Murphy. The motion passed unanimously.

**DOCKET NO. 456 – Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 33 Keegan Road, Plymouth, Connecticut. Development & Management Plan.**

Mr. Ashton moved to approve the Development & Management Plan, seconded by Mr. Caron. The motion passed unanimously.

**DOCKET NO. 464 – Blue Sky Towers, LLC and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Bridgeport Tax Assessor Map 53, Block 1527, Lot 2, 220 Evergreen Street, Bridgeport, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Motion for Protective Order.**

Mr. Ashton moved to deem the application as complete, approve the schedule for processing the docket as per staff recommendations, the appointment of Carriann Mulcahy as the custodian of the docket, the deposition of the transcript in the City of Bridgeport, a public field review beginning at 2:00 p.m., an evidentiary hearing beginning at 3:00 p.m., and a public comment session beginning at 7:00 p.m. in the City of Bridgeport on Thursday, February 11, 2016; seconded by Mr. Murphy. The motion passed unanimously.

Mr. Murphy moved to approve the Motion for Protective Order, seconded by Mr. Lynch. The motion passed unanimously.

**PETITION NO. 1184 - Beacon Falls Energy Park, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation, and maintenance of a 63.3 Megawatt AC fuel cell facility located on Lopus Road, Beacon Falls, Connecticut. Draft Findings of Fact.**

Mr. Caron recused himself and Mr. Levesque took his seat.

Mr. Ashton moved to approve the draft Findings of Fact, Opinion, and Decision and Order, as amended, seconded by Mr. Murphy. The motion passed with Mr. Lynch recusing.

**PETITION NO. 1195 - SolarCity Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of a 4.05 Megawatt Community Shared Solar Photovoltaic Electric Generating facility located on municipally-owned property at 1240 Poquonnock Road, Groton, Connecticut. Decision.**

Mr. Levesque excused himself and Mr. Caron took his seat.

Mr. Murphy moved to approve this petition with the condition that the development and management plan include containment measures for the fueling pad and plans to relocate the osprey nesting platforms to be performed in consultation with DEEP, seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 1199 – The United Illuminating Company, petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, operation and maintenance of a 2.8 Megawatt AC Fuel Cell to be located at Amity Regional High School, 25 Newton Road, Woodbridge, Connecticut. Decision.**

Mr. Caron excused himself and Mr. Levesque took his seat.

Mr. Levesque moved to approve this petition, seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 1200 – 2015 ESA Project Company, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, operation and maintenance of an 800 Kilowatt Fuel Cell Facility to be located at Parkville Community Elementary School, 1755 Park Street, Hartford, Connecticut. Decision.**

Mr. Levesque excused himself and Mr. Caron took his seat.

Mr. Hannon moved to approve this petition, seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 1201 – Eversource Energy petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed reconductoring of approximately 1.75 miles of its existing No. 1810 115-kV transmission line from Forestville Junction in Southington to Lake Avenue Junction in Bristol, rebuilding and reconductoring of approximately 1.85 miles of its existing Nos. 1800 and 1810 115-kV transmission lines from Southington Substation in Southington to Structure No. 1815 in Southington, reinforcement of an existing transmission structure at Southington Substation in Southington, and related substation and transmission line structure improvements. Set Date for Decision.**

Mr. Murphy moved to set May 23, 2016, as the date for decision, seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 1202 – FuelCell Energy, Inc. petition for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 1.4 MW fuel cell combined heat and power electric generating facility located at Pepperidge Farm, Inc., 1414 Blue Hills Avenue, Bloomfield, Connecticut. Set Date for Decision.**

Mr. Murphy moved to set June 3, 2016, as the date for decision, seconded by Mr. Caron. The motion passed unanimously.

#### **Administrative Matters.**

- **Request from the Town of Cheshire for the Council to assume jurisdiction over an un-certificated telecommunications facility located at 1338 Highland Avenue, Cheshire, Connecticut.**

Mr. Murphy moved that:

1. The request be treated as a petition for a declaratory ruling from the Town of Cheshire submitted under Connecticut General Statutes §4-176 for the Council to assume jurisdiction over the existing silo facility pursuant to Connecticut General Statutes §16-50i (a)(6) and Regulations of Connecticut State Agencies §16-50j-2a (23);

2. Waiver of the petition filing fee for the Town of Cheshire's petition for a declaratory ruling pursuant to Regulations of Connecticut State Agencies §16-50j-3; and
3. Issuance of a declaratory ruling that the Council assumes jurisdiction over this existing telecommunications facility based on the fact that the silo structure is no longer used principally for garden center purposes pursuant to the Council's declaratory ruling in Petition No. 581 and the regulatory definition of "tower" under Regulations of Connecticut State Agencies §16-50j-2a (23).

The motion was seconded by Mr. Ashton. The motion passed unanimously.

- **Executive Session pursuant to Conn. Gen. Stat. § 1-200 (6)(B) to discuss strategy/negotiations with respect to pending litigation in the following cases: Town of Middlebury et al. v. Connecticut Siting Council; Burton v. Connecticut Siting Council; Drabik v. Connecticut Siting Council.**

Mr. Murphy moved to enter into Executive Session pursuant to Conn. Gen. Stat. § 1-200 (6)(B) to discuss strategy/negotiations with respect to pending litigation in the following cases: Town of Middlebury et al. v. Connecticut Siting Council; Burton v. Connecticut Siting Council; Drabik v. Connecticut Siting Council, seconded by Mr. Ashton. The motion passed unanimously. The Council entered Executive Session at 2:00 p.m.

Mr. Ashton moved to adjourn the Executive Session, seconded by Mr. Caron. The motion passed unanimously. The Council ended the Executive Session at 2:26 p.m.

Chairman Stein announced that no decisions were made during the Executive Session.

The following calendar events were discussed:

- Tuesday, January 12, 2016, **evidentiary hearing** beginning at **11:00 a.m.** for Docket No. 461, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut.
- Thursday, January 21, 2016, beginning at **1:00 p.m.** energy/telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.
- Tuesday, January 26, 2016, **evidentiary hearing** beginning at **11:00 a.m.** for Docket No. 463, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut.
- Thursday, February 4, 2016, beginning at **1:00 p.m.** energy/telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.
- Thursday, February 18, 2016, beginning at **1:00 p.m.** energy/telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.

#### **Adjournment.**

Mr. Ashton moved to adjourn the meeting, seconded by Mr. Lynch. The motion passed unanimously.

Chairman Stein adjourned the meeting at 2:28 p.m.

**Respectfully submitted,**

**Robert Stein**  
**Chairman**

RS/cm